

**RESTRICTION PRESENTED**

The claims have been restricted into the following species:

1. Triol (I) R or S
2. Triol (II) R or S
3. Tetraol (III) R or S
4. X of NbX<sub>5</sub> alkoxide
5. X of NbX<sub>5</sub> halogen
6. reaction substrate R<sup>5</sup>R<sup>6</sup> C=N-Z
7. reaction substrate Formula IV
8. reaction substrate Formula V
9. reaction substrate Formula VI
10. reaction substrate epoxide
11. additive imidazole
12. additive zeolite

**APPLICANTS' ELECTION**

Applicants hereby elect the species of the R enantiomer of Triol (II) listed as number (2) for prosecution at this time. In addition, applicants elect the species of X of NbX<sub>5</sub> alkoxide listed as number (4) for prosecution at this time. Applicants further elect reaction substrate Formula V listed as number (8), and additive species zeolite listed as number (12) for prosecution at this time. Claims 1-2, 14-17, 20-24, 26 and 29-30 are believed to read on the above-specified elected species.

**REMARKS**

**I. Status of Claims:**

Claims 1-2 and 14-31 are pending in the subject U.S. patent application. Claims 3-13 have been canceled. Claims 1-2 and 14-31 have been subjected to an Election Requirement. In response to the Restriction/Election Requirement, applicants have elected the above-specified species upon which to initiate a search at this time.

**Serial No.: 10/589,259**

Applicants hereby reserve the right to file one or more divisional patent applications directed to the unelected subject matter.

Applicants respectfully submit that the election of the above-mentioned representative species does not place an undue burden on the Examiner to perform a complete search of the defined areas. The present species elections are made without traverse to the extent that it is understood that, upon the finding of an allowable species, examination will continue until all species have been examined, or a non-allowable species is found, all in accordance with the procedures set forth in the Manual of Patent Examining Procedure § 803.02.

**CONCLUSIONS**

Should there be any minor issues outstanding in this matter the Examiner is respectfully requested to telephone the undersigned attorney. Early passage of the subject application to issue is earnestly solicited.

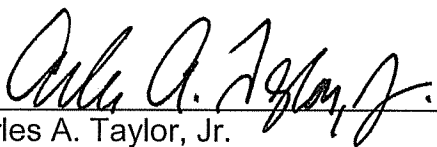
**DEPOSIT ACCOUNT**

The Commissioner is hereby authorized to charge any other fees associated with the filing of this correspondence to Deposit Account Number **50-0426**.

Respectfully submitted,

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